

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

By this Amendment, Claims 1, 12, and 23 are amended. Claims 1-27, 29, 30 and 32-34 remain readable on the elected species. Claims 28 and 31 are withdrawn from consideration as being directed to the non-elected species. Claims 1, 12 and 23 are the only independent claims.

All the three independent claims in this application are once again rejected on the basis of the disclosure in U.S. Patent No. 6,918,882 to Skujins et al. This same reference was previously relied upon as a basis for a finding of unpatentability of the three independent claims. The previous rejection was based on the Fig. 1 embodiment of the guidewire disclosed in Skujins et al., Applicants responded to that rejection by explaining that the guide wire at issue here includes first and second wires joined to each other by welding without axial overlap. In contrast, the Fig. 1 embodiment of the guidewire shown in Skujins et al. includes a pair of wires 14, 16 joined by welding, but the two wires axially overlap one another.

The most recent Official Action agrees with these arguments as the rejection based on the Fig. 1 embodiment of the guidewire in Skujins et al. is no longer relied upon. Rather, the current rejection is based on the Fig 4 embodiment of the guidewire shown in Skujins et al. In this embodiment, the two wires 14, 16 forming the guidewire do not axially overlap one another. However, the guide wire at issue here differs from the Fig. 4 embodiment of the guidewire in Skujins et al. insofar as the relationship between the cross-sectional area of the proximal end portion of the second wire relative to the first wire. As set forth in Claims 1 and 12, the second

wire has, in the vicinity of the welded portion between the first and second wires, a cross-sectional area smaller than the cross-sectional area of the proximal end portion of the first wire. Quite clearly, this relationship is not embodied in the Fig. 4 embodiment of the guidewire shown in Skujins et al. because both end portions are the same in cross-sectional area, and indeed are intended to be the same in cross-sectional area.

However, it is understood that the rejection in the most recent Official Action is based on a broad reading of the disclosure in Skujins et al. relative to the claim language. In particular, as seen in Fig. 4 of Skujins et al., the wire 16 includes a proximal end portion 26 having a smaller cross-sectional area, and this portion 26 merges into a portion of enlarged diameter to the right of reference numeral 18. It is understood that the Official Action interprets this portion of enlarged diameter to constitute a part of the "proximal end portion" of the wire 16.

Considering that interpretation, independent Claims 1 and 12 are amended so as to now recite that the second wire has, in the vicinity of welded portion between the first and second wires, a small cross-sectional area portion having a cross-sectional area smaller than the cross-sectional area of the proximal end face of the first wire. Quite clearly, the wire 14 in Fig. 4 of Skujins et al. does not have, in the vicinity of the welded portion between the two wires 14, 16, a small cross-sectional area portion having a cross-sectional area smaller than the cross-sectional area of the proximal end face of the wire 16.

In addition, Claim 23 is amended so the claim now defines that the cross-sectional area of the end-face of the first end portion of the second wire is less than the cross-sectional area of the end face of the first end portion of the first wire. This

language clearly distinguishes over the guidewire disclosed in Skujins et al.

Accordingly, withdrawal of the rejection of record is respectfully requested.

The dependent claims define additional distinguishing aspects associated with the guide wire at issue here. As these claims are allowable at least by virtue of the dependence from allowable independent claims, a detailed discussion of the additional distinguishing features is not set forth at this time.


Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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